

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, October 10, 1995 at 7:30 p.m. in ⁶⁹ the Town Hall Board Room.

Present and presiding:

Mayor	Eleanor Kinnaird
Aldermen	Michael Nelson
	Randy Marshall
	Hank Anderson
	Frances Shetley
	Jacquelyn Gist
	Jay Bryan
Town Manager	Robert W. Morgan
Town Clerk	Sarah C. Williamson
Town Attorney	Michael B. Brough

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY HANK ANDERSON TO APPROVE THE MINUTES OF OCTOBER 3, 1995. VOTE: AFFIRMATIVE ALL

PROCLAMATIONS

Mayor Kinnaird read proclamations proclaiming October 8-15 as Fire Prevention Week, and October 15th as Rebecca Clark Day.

INTRODUCTION OF NEW TOWN EMPLOYEE

Larry Gibson introduced Sheila Lee, the town's new accounting officer.

CARRBORO DAY REPORT

David Griffiths stated that the Carrboro Day Committee had rescheduled Carrboro Day for the spring of 1996.

DEVELOPMENT OF WALKER PROPERTY

Keith Godman discussed problems he was encountering associated with providing 40% open space in designing a development for the Walker property located off Rogers Road.

WORKSESSION WITH OWASA REPRESENTATIVES

The Board of Aldermen met with the town's OWASA representatives to discuss the proposed Memorandum of Understanding and other issues regarding the town's working relationship with OWASA.

Barry Jacobs, Chair of the OWASA Board, and Joal Hall and Frank Hamill, the town's OWASA representatives were present.

Joal Hall stated that the OWASA Board did not approve the Memorandum of Understanding because it would delay installation of lines.

Alderman Nelson stated that it was his opinion that OWASA's newsletter was ineffective and only contributes to landfill problems.

Barry Jacobs stated that the OWASA Board had not been included in all discussions concerning the memo of understanding.

Alderman Bryan requested that a copy of the recent survey of OWASA services be included as part of the upcoming joint meeting of Carrboro officials and OWASA officials.

Alderman Bryan requested that the OWASA Board review the width of easements required for installation of water and sewer lines in order to make them less obtrusive.

Alderman Marshall stated his concern about the large amount of reserves that OWASA retains. He suggested that the projects be financed over the period of time the services are being used. Pre-payment takes capital out of the economy and has a depressing effect on the economy. In addition, many people who contribute to the reserves move out of the area before they see the benefit of the project.

Barry Jacobs stated the OWASA Board is currently looking at bonds in lieu of capital reserves and other alternatives.

Alderman Bryan questioned why OWASA staff had recommended that the car wash proposed for the Alta Seasons Apartment complex use OWASA water rather than well water as recommended by the Planning Board.

Barry Jacobs stated that that matter had not been considered by the OWASA board, but that OWASA was considering conservation of resources.

Alderman Anderson questioned why deposits are not refunded.

HISTORIC AND NEIGHBORHOOD PRESERVATION DISTRICTS

Lisa Bloom-Pruitt, the town's senior planner, stated that the administration requested that the Board of Aldermen consider establishing a Neighborhood Preservation District (NPD), propose any changes to the NPD ordinance and/or consider the proposed Historic District ordinance. The administration requested that the Board of Aldermen set a public hearing for October 24, 1995 on the proposed text amendments to the Land Use Ordinance and/or the establishment of a NPD.

MOTION WAS MADE BY JAY BRYAN AND SECONDED BY MICHAEL NELSON TO SET A PUBLIC HEARING FOR NOVEMBER 14TH ON THE PLACEMENT OF THE NEIGHBORHOOD PRESERVATION DISTRICT OVERLAY ZONE BOUNDARIES ON PROPERTY AS PROPOSED IN 1992; AND ON THE PROPOSED ORDINANCE CREATING AN HISTORIC DISTRICT COMMISSION AND HISTORIC DISTRICTS. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (KINNAIRD)

MOTION BY JAY BRYAN AND SECONDED BY JACQUELYN GIST THAT THE BOARD DELIBERATE AND VOTE ON THIS MATTER AT ITS MEETING ON NOVEMBER 21, 1995. AFFIRMATIVE ALL

AMENDMENTS TO 1995-96 MISCELLANEOUS FEES AND CHARGES SCHEDULE

The administration requests that the Board amend the Miscellaneous Fees and Charges Schedule for FY'95-96 include items that are available for purchase, but were inadvertently omitted from the Miscellaneous Fees and Charges Schedule and to increase the fee for fingerprinting to \$15.00.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN TO APPROVE THE FOLLOWING ADDITION/REVISIONS TO THE MISCELLANEOUS FEES AND CHARGES SCHEDULE:

Carrboro Bicycle Policy and Sidewalk Policy	\$1.00
Carrboro Connector Roads Policy	\$1.00
Carrboro Year 2000 Task Force Report Policies	\$1.50
Carrboro Population and Employment Statistics	\$1.50
Carrboro Zoning Map [1:1200"]	\$2.50
Carrboro Zoning Map [1:600"]	\$15.00
Small Area Plan for Carrboro Northern Transition Study Area	\$8.00
1979 Topographic Maps	\$15.00
Carrboro Land Use Ordinance	\$16.50
HYDROS 2.0 Model [Handbook]	\$16.00
HYDROS 2.0 Model [Manual]	\$27.00
BOTH [Manual and Handbook]	\$40.00
BOTH WITH COPIED COMPUTER DISKS	\$50.00
COMPUTER DISKS ONLY FOR HYDROS 2.0 Model	\$20.00
Fingerprinting	\$15.00

VOTE: AFFIRMATIVE ALL

1996 JOINT PLANNING PUBLIC HEARING DATES

Orange County requested that the Town of Carrboro set April 10th and October 9th as the Joint Planning Hearing dates for 1996. The administration requested that the Board set these public hearings.

It was the consensus of the Board to request that the April 10th date be changed due to fact that April 10th is in the middle of the Chapel Hill-Carrboro City School spring break.

A RESOLUTION CHANGING BANK SIGNATURES

The following resolution was introduced by Alderman Randy Marshall and duly seconded by Alderman Hank Anderson.

**A RESOLUTION OPENING AND MAINTAINING A DEPOSIT ACCOUNT
AND/OR CERTIFICATES OF DEPOSIT
Resolution No. 9/95-96**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. Nations Bank of North Carolina is hereby designated as a depository of the Town of Carrboro and a deposit account and/or certificates of deposit are opened and maintained in the name of the Town of Carrboro in accordance with the applicable rules and/or certificates of deposit be opened and maintained in the name of the Town of Carrboro with said Bank in accordance with the applicable rules and regulations for such an account; that any one of the following officers or employees of the Town of Carrboro:

Robert W. Morgan, Town Manager

William Laurence Gibson, Jr., Assistant Town Manager

Sheila R. Lee, Accounting Officer

is hereby authorized, on behalf of the Town of Carrboro, and in its name to sign checks, drafts, notes, bills of exchange, acceptances, certificates of deposit or other orders for the payment of money; to endorse checks, notes, bills, certificates of deposit, or other instruments, owned or held by the Town of Carrboro for deposit with said Bank or for collection or discount by said Bank; to accept drafts, acceptances, and other instruments payable at said Bank; to place orders with said Bank for the purchase and sale of foreign currencies on behalf of the Town of Carrboro; to execute and deliver an electronic funds transfer agreement and to appoint and delegate, from time to time, such persons who may request transfers on behalf of the Town of Carrboro; to establish and maintain a night deposit relationship; to waive presentment, demand, protest, and notice of protest, or dishonor of any check, note, bill, draft, or other instrument made, drawn, or endorsed by the Town of Carrboro;

Section 2. Nations Bank of North Carolina is hereby authorized to honor, receive, certify, or pay all instruments signed in accordance with this resolution even though drawn or endorsed to the order of any officer or employee signing the same or tendered by him for cashing, or in payment of the individual obligation of such officer or employee, or for deposit to his personal account, and said Bank shall not be required or be under any obligation to inquire as to the circumstances of the issuance or use of any instrument signed in accordance with the foregoing resolution, or the application or disposition of such instrument or the proceeds thereof.

Section 3. Nations Bank is hereby requested, authorized, and directed to honor checks, drafts, or other orders for the payment of money drawn in the Town of Carrboro's name, including those payable to the individual order of any person or persons whose name or names appear thereon as signer or signers thereof, when bearing or purporting to bear the facsimile signature of the specified number of the foregoing officers or employees of the Town of Carrboro and Nations Bank shall be entitled to honor and to charge the Town of Carrboro for such checks, drafts or other orders, regardless of by whom or by what means the actual or purported signature or signatures thereon may have been affixed thereto, if such signature or signatures resemble the facsimile specimen duly certified to or filed with Nations Bank by the Town Clerk.

Section 4. The Town Clerk of the Town of Carrboro shall certify to said Bank the name of the persons who are at present authorized to act on behalf of the Town of Carrboro under the foregoing resolution and shall from time to time hereafter, as changes in the personnel of said officers and employees are made, immediately certify such changes to said Bank, and said Bank shall be fully protected in relying on such certifications of the Town Clerk and shall be indemnified

72 and saved harmless from any claims, demands, expenses, loss, or damage resulting from, or growing out of, honoring the signature of any officer or employee so certified, or refusing to honor any signature not so certified.

Section 5. This resolution shall remain in full force and effect until written notice of its amendment or rescission shall have been received by said Bank, and that receipt of such notice shall not affect any action taken by said Bank prior thereto.

Section 6. All transactions by any of the officers or employees of the Town of Carrboro on its behalf, and in its name, with Nations Bank prior to the delivery to said Bank of a certified copy of this resolution is in all respects hereby ratified, confirmed, approved and adopted.

Section 7. The Town Clerk is hereby authorized and directed to certify this resolution to Nations Bank and that the provisions thereof are in conformity with the Charter of the Town of Carrboro.

Section 8. This resolution shall become effective upon adoption.

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted this 10th day of October, 1995:

Ayes: Michael Nelson, Randy Marshall, Hank Anderson, Eleanor Kinnaird, Frances Shetley, Jacquelyn Gist, Jay Bryan

Noes: None

Absent or Excused: None

ENTRIES IN 1995 CHRISTMAS PARADE

Alderman Gist requested that the town's Public Works Department be asked if they wish to enter a piece of equipment in the 1995 Christmas Parade.

RELEASE OF STORMWATER REPORT FOR STRATFORD DRIVE

Roy Williford, Planning and Economic Development Director, presented a report the Board which had been released to the owners of Lots 102, 104, 107 and 109 of the Wexford Subdivision. Mr. Williford stated that the town had retained the services of Henry Wells with Sungate Design Group, P.A. to analyze and recommend solutions to drainage problems encountered Stratford Drive on August 27, 1995. As a result of Mr. Wells' analysis, he determined that the existing drainage system constructed between lots 102, 104, 107 and 109 and across Stratford Drive will not accommodate the 25-year storm as required by the town's Land Use Ordinance. Mr. Wells recommended that design modifications be made to upgrade the existing drainage system, which calls for the construction of a swale along the rear property lines of Lots 2 and 3 and the installation of parallel pipe system. Mr. Williford stated that a meeting will be scheduled with the property owners and the developers of Wexford to discuss this matter.

JOINT PLANNING AREA LAND USE ORDINANCE TEXT AMENDMENTS

Roy Williford, Planning and Economic Development Director, explained that Orange County staff had questioned whether the town's open space ordinance would require a joint planning public hearing. The county staff has agreed that the open space amendments are purely land use ordinance text amendments that require action by Orange County only and not a Joint Planning Area Land Use Plan or Zoning district amendment. The County staff will try to bring this matter before the County Commissioners in November.

CLOSED SESSION/MATTER INVOLVING ATTORNEY/CLIENT PRIVILEGE AND EVALUATION OF TOWN MANAGER

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST TO ADJOURN TO CLOSED SESSION AT 10:40 P.M. TO DISCUSS A MATTER INVOLVING

ATTORNEY/CLIENT PRIVILEGE, PROPERTY ACQUISITION AND EVALUATION OF TOWN
MANAGER. VOTE: AFFIRMATIVE ALL

TOWN MANAGER'S COMPENSATION

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JACQUELYN GIST TO AWARD
THE TOWN MANAGER A TWO PERCENT MERIT ADJUSTMENT. VOTE: AFFIRMATIVE SIX,
NEGATIVE ONE (SHETLEY)

Sarah C. Williamson
Town Clerk

[Signature]
Mayor